

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.

Plaintiff,

V.

C.A. No. 04-10353-PBS

VOICE SIGNAL TECHNOLOGIES, INC.,  
LAURENCE S. GILLICK, ROBERT S.  
ROTH, JONATHAN P. YAMRON, and  
MANFRED G. GRABHERR

Defendants.

**DEFENDANT MANFRED G. GRABHERR'S  
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Fed. R. Civ. P. 56 and Local Rule 56.1, Defendant Manfred G. Grabherr (“Defendant”), hereby moves for summary judgment dismissing Count II of Plaintiff’s Amended Complaint with respect to Defendant. There are no genuine issues as to any material fact, and Defendant is entitled to summary judgment as a matter of law.

Further grounds for this Motion are set forth in Defendant's Memorandum in Support of Motion for Summary Judgment, and Defendant's Statement of Material Facts, filed concurrently herewith.

WHEREFORE, Defendant respectfully requests that the Court enter summary judgment in his favor, dismissing Plaintiff's Amended Complaint with respect to Defendant.

Respectfully submitted,

LAURENCE S. GILICK, ROBERT S. ROTH,  
JONATHAN P. YAMRON, MANFRED G.  
GRABHERR, and VOICE SIGNAL  
TECHNOLOGIES, INC.

By their attorneys,

/s/ Paul D. Popeo

Robert S. Frank, Jr. (BBO No. 177240)  
Sarah Chapin Columbia (BBO No. 550155)  
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Boston, MA 02109  
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Dated: May 4, 2005

**CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1**

In compliance with Local Rule 7.1, I hereby certify that I conferred with counsel for the plaintiffs on May 4, 2005, and attempted in good faith to resolve or narrow the issues raised in Defendant Manfred G. Grabherr's Motion for Summary Judgment. The parties were not able to resolve or narrow the issues.

/s/ Wendy S. Plotkin  
Wendy S. Plotkin